

# **Determination of NEPA Adequacy (DNA)**

**U.S. Department of the Interior**

**Bureau of Land Management**

**Royal Gorge Field Office**

**3028 E. Main**

**Cañon City, CO 81212**

OFFICE: Royal Gorge Field Office

PROJECT NUMBER: DOI-BLM-CO-F02-2014-020 DN

CASEFILE: (if applicable)

PROPOSED ACTION TITLE/TYPE: Falls Gulch Mountain Commercial Timber Sale

LOCATION/LEGAL DESCRIPTION: Fremont County, New Mexico Principle Meridian  
T. 48 N., R. 11 E., Sec. 10 and 15

APPLICANT (if any): Bureau of Land Management (BLM)

## **A. Description of the Proposed Action and any applicable mitigation measures**

Historically, the forests of the Rocky Mountain West were known to be less dense, consisting of larger and older trees than the forests of present times. There were dense stands of trees, but these were intermixed in a mosaic pattern of diverse forest age classes and openings. Whereas, the forests of today are characterized as even-aged stands with little age class diversity and many are overstocked with too many trees per acre. During the settlement of the Arkansas River drainage most of the larger trees were removed for infrastructure and energy, thereby altering the natural processes. Consequently, most of the old growth trees are gone and the older/larger trees seen today were probably too small to be utilized at settlement times. These facts serve as a historical reminder of how different the forests of today are compared to those prior to settlement.

Prior to European settlement of the Arkansas River drainage wildfires played an important ecological role in maintaining the function and pattern of the vegetation on the landscape throughout the Rocky Mountains. Wildfires reduced natural fuel accumulations, maintained forest health by clearing smaller understory trees, recycled nutrients, maintained meadows and parks, improved wildlife habitats, and assured a diversity of forest age classes by creating early seral habitat for young tree establishment. The past 100 years of wildfire suppression, cattle grazing, timber harvests and the recent urbanization of the West have interrupted the natural frequency and intensity of wildfires. As a result the forests have become overstocked with numerous small diameter trees, most less than 100 years old. As these smaller trees compete with the larger trees for moisture, during drought periods, the larger trees become stressed, subjecting

them to increased risk of bark beetle attack. These small diameter trees also provide a ladder for wildfire to move into the forest crown, a prescription for a catastrophic crown fire. Crown fires are the most destructive and difficult to control and pose the greatest catastrophic risk to growing populations and threaten private property adjacent to these forests. Therefore, given the human induced changes to the forest and the current state of the forests in Colorado, namely the lack of recent disturbance, these forests are in desperate need of multiple silvicultural treatments, designed to induce the effects of long lost processes, such as fire.

The thinning in 2008 within the planning area and a prescribed burn in 2009-2010 within the project area in the vicinity of Arkansas Mountain is described in previous NEPA documents (Arkansas Mountain Fuel Break and Prescribed Burn CO-200-2002-0125 EA; Fuels- Fall 2008 Arkansas Mountain Prescribed Fuels Projects CO-200-2008-093 DNA). This silvicultural prescription project is intended to continue to improve forest health within the Falls Gulch area.

The Proposed Action is to mechanically thin less than 60 acres of mixed conifer forests consisting of Douglas-fir and ponderosa pine using conventional logging equipment through a commercial timber sale (See project map). This sale shall be named Falls Gulch Mountain Commercial Timber Sale and it will be a competitive bid sale which is likely to be out for bids in FY14. This sale consists of 3 individual units where large tree thinning shall occur. This sale is planned to be a 2 year sale due to the quantity of timber and size of the proposal.

The proposed treatment is thinning, which is an intermediate treatment method that involves the removal of a portion of the larger conifer trees to meet a desired spacing which relates to the number of trees per acre. This action would improve forest health by removing large trees with evidence of insect, disease or declining health such as small crown ratio. All aspen shall be considered protected reserve trees.

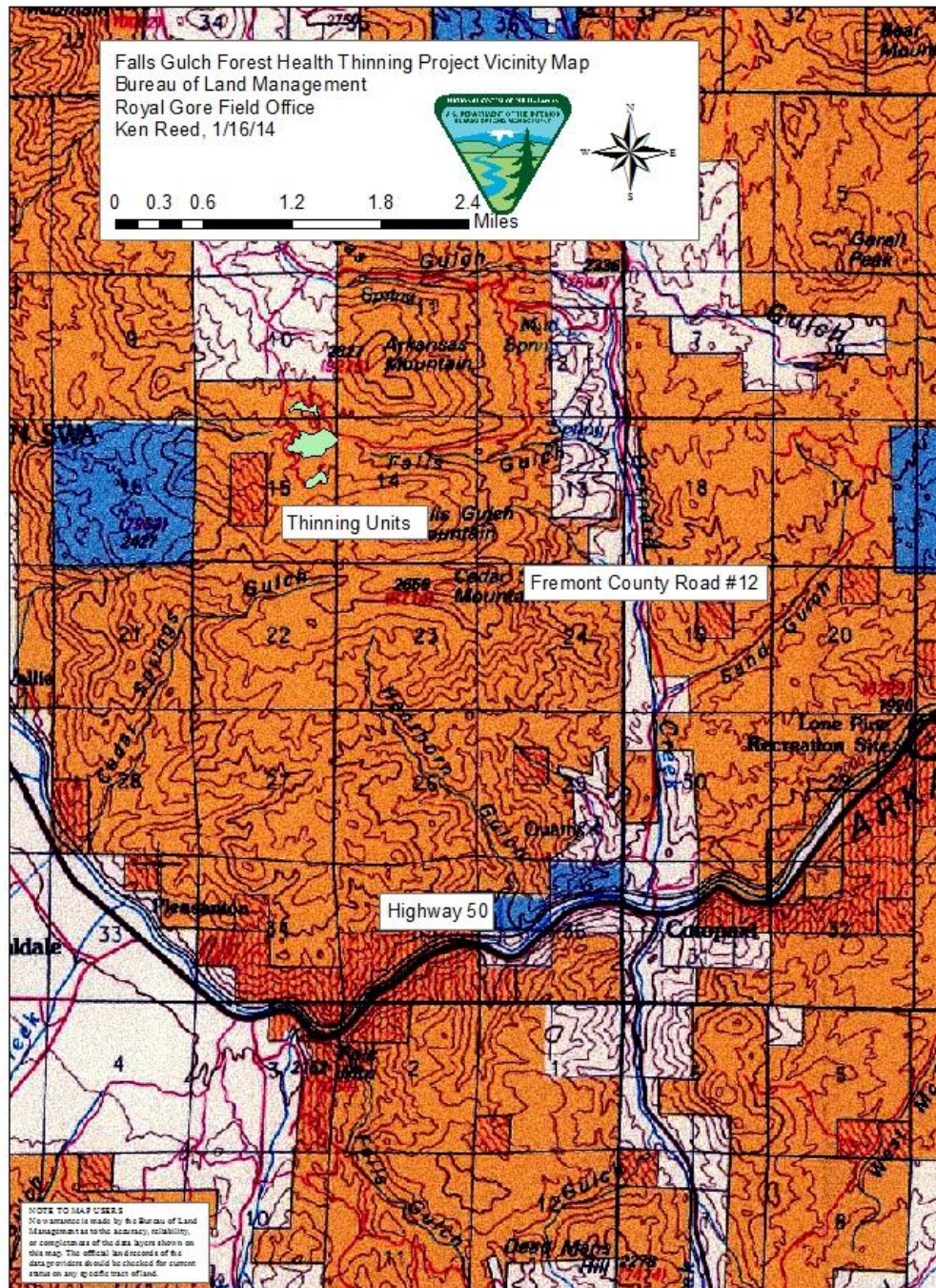
Existing BLM and County roads shall be utilized for the forest product removal. The existing BLM roads shall be maintained and improved to facilitate the forest product removal. All temporary roads created to remove forest products shall be closed to motor vehicles upon completion of the timber harvest activities. Trees are generally harvested by a commercial logging company. The work is likely to be performed with chainsaws, skidders, tractors, pickup trucks, trailers, log loaders and/or log hauling trucks

The slash created from the activity shall be piled where it can be burned effectively in suitable weather and not damage the reserve trees. The piles shall be created at the landings or within the harvest units. These piles should be approximately 10 feet in diameter in size. These piles shall be constructed to minimize the incorporation of dirt into the piles. Piles may be allowed to cure for a season to minimize emissions.

All known improvements will be protected or repaired if damaged, including but not limited to fences, gates, watering facilities, property corners, etc. Livestock grazing on the Badger Creek Allotment is permitted from April 15 to October 15. However, grazing use in the project area would consist of a shorter time period and could vary from year to year. Close coordination with

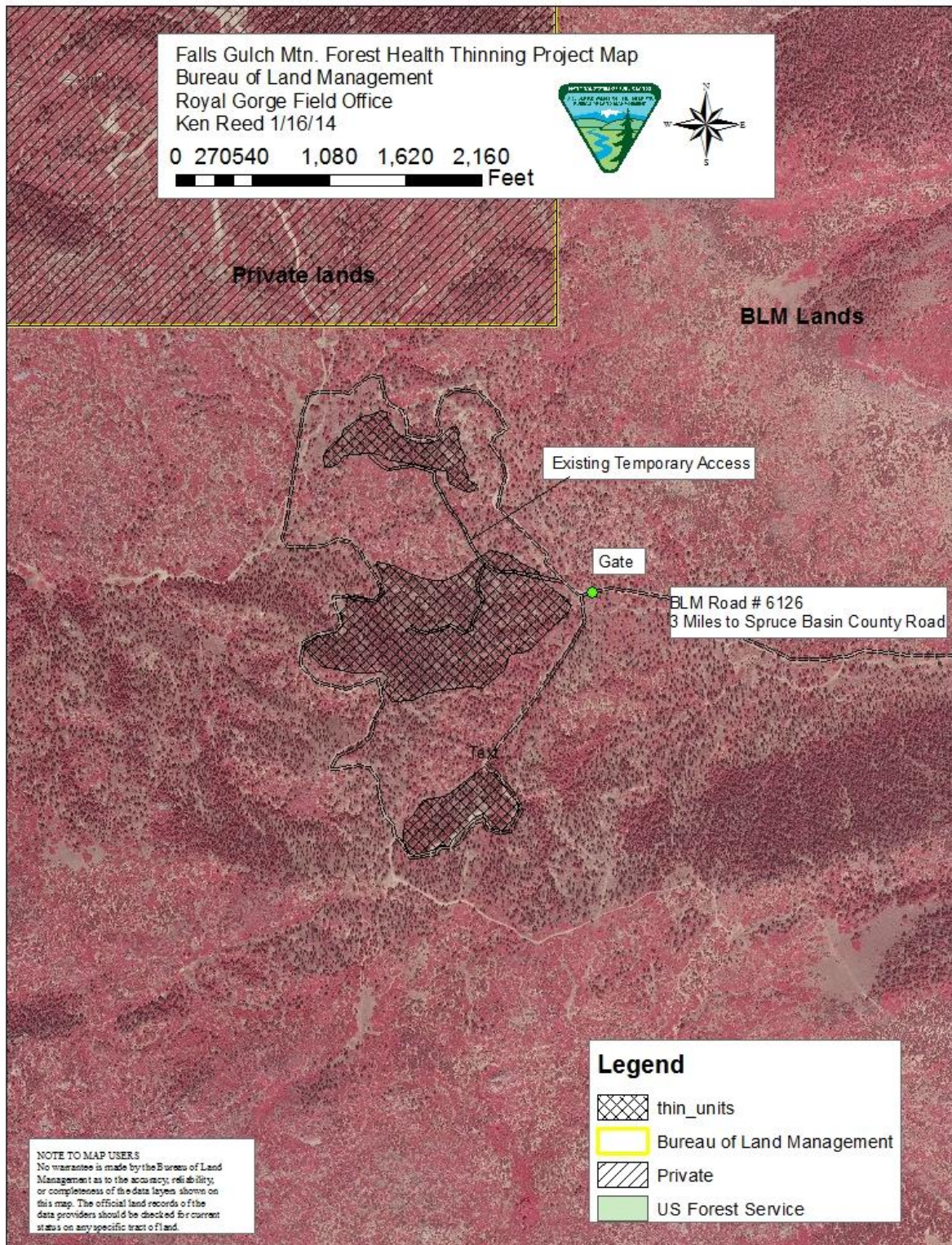
the grazing permittee would occur to determine exactly when livestock are in the area so that gates can be closed.

### Vicinity Map





## Project Area Map



**B. Land Use Plan (LUP) Conformance**

LUP Name: Royal Gorge Resource Management Plan	Date Approved: 5/13/1996
Other Document	Date Approved
Other Document	Date Approved

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions: Waugh Mtn./Tallahassee Subregion #6  
6-1, Vegetation will be managed to accomplish other BLM initiatives i. e., riparian, wildlife, etc.  
6-12, Productive forested lands will be managed for sustained-yield  
6-13, A portion of the forested lands will be available for intensive management.

**C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

List by name and date all applicable NEPA documents that cover the proposed action.

Name of Documents: Arkansas Mountain Fuel Break and Prescribed Burn

CO-200-2002-0125 EA

Fuels Management – Western Fremont County Fuels Planning EA

CO-200-2005-0021 EA

Fuels- Fall 2008 Arkansas Mountain Prescribed Fuels Projects

CO-200-2008-093 DNA

Date Approved: 09/21/05

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

Name of Document: Public Land Health Assessment 2010

Date Approved: September, 2010



## **D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes. The Proposed Action is within the same analysis area and will follow the guidelines that were established in the Western Fremont County Fuels Planning EA (CO-200-2005-0021 EA).

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Yes. Two alternatives were evaluated in the Western Fremont County Fuels Planning EA (CO-200-2005-0021 EA). The two alternatives were analyzed including the proposed action and no action. The analysis appropriately considered current environmental concerns, interests, and resource values. The proposed action will work towards creating a healthy forest by removing trees with unhealthy characteristics.

Under the No Action Alternative, forest health or fuels reduction treatments would not occur. Forest health will continue to decline with trees dying due to competition with neighboring trees for limited soil moisture. The no action alternative, lacking forest health or fuels reduction treatments, fails to consider the need to protect adjacent land owners, protect the area from potential beetle infestations, promote the growth of declining aspen stands and, in general, work towards a healthier forest.

**3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes. The information in the existing EA (CO-200-2005-0021 EA) remains valid and relevant to the Proposed Action. There is no known new information or circumstances that would change the analysis.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes. The direct, indirect, and cumulative effects of the Proposed Action are the same and remain unchanged as those analyzed in the existing EA (CO-200-2005-0021 EA), both quantitatively and qualitatively.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes. The public involvement and review associated with the existing EA (CO-200-2005-0021 EA) remains adequate for the Proposed Action.

**E. Persons/Agencies /BLM Staff Consulted**

<b>INTERDISCIPLINARY TEAM REVIEW</b>			
<b>NAME</b>	<b>TITLE</b>	<b>AREA OF RESPONSIBILITY</b>	<b>Initials/date</b>
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds	MR, 1/23/2014
Jeff Williams	Range Management Spec.	Range, Vegetation, Farmland	JW, 1/23/14
Chris Cloninger	Range Management Spec.	Range, Vegetation, Farmland	NA
John Lamman	Range Management Spec.	Weeds	JL, 02/03/2014
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG, 1/23/14
Stephanie Carter	Geologist	Minerals, Paleontology, Waste Hazardous or Solid	-----
Melissa Smeins	Geologist	Minerals, Paleontology	MJS, 2/10/2014
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 1/23/14
Ty Webb	Prescribed Fire Specialist	Air Quality	TW, 1/21/14
Jeff Covington	Cadastral Surveyor	Cadastral Survey	JC, 1/28/14
Kalem Lenard	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	KL, 2/3/2014
John Nahomenuk	River Manager	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	NA
Ken Reed	Forester	Forestry	KR, 1/16/14
Monica Weimer	Archaeologist	Cultural, Native American	NA
Michael Troyer	Archaeologist	Cultural, Native American	MDT, 1/22/2014
Jay Raiford	Realty Specialist Supervisor	Realty	JMR 4/1/14
Dennis Page	Fire Management Officer	Fire Management	DP, 1/23/14
Steve Cunningham	Law Enforcement Ranger	Law Enforcement	SC 1/26/14

Other Agency Represented: None

**REMARKS:**

Cadastral: This is an original survey which the subdivisional lines were surveyed in 1874. GCDB point reliability is +/- 500 ft. Given the point reliability the section corner of sections 10, 11, 14 and 15 needs to be located as it could potentially fall within the thinning project. This is an original stone monument.

**Cultural Resources:** Though cultural resources are present in the vicinity of the area of potential effect, none are considered eligible for inclusion on the national register, and none are located within the APE boundary [See report CR-RG- 3-39 (P)]. Therefore, the proposed undertaking will have no effect on any historic properties (those eligible for the NRHP).

**Native American Religious Concerns:** No possible traditional cultural properties were located during the cultural resources inventory (see above). There is no other known evidence that suggests the project area holds special significance for Native Americans.

**Threatened and Endangered Species:** There are no records of any federally listed or BLM sensitive species within or near the project area. The Proposed Action will not result in impacts to TES species.

**Migratory Birds:** To be in compliance with the Migratory Bird Treaty Act (MBTA) and the Memorandum of Understanding between BLM and USFWS required by Executive Order 13186, BLM must avoid actions, where possible, that result in a “take” of migratory birds. Pursuant to BLM Instruction Memorandum 2008-050, to reduce impacts to Birds of Conservation Concern (BCC), no habitat disturbance (removal of vegetation such as timber, brush, or grass) is allowed during the periods of May 15 - July 15, the breeding and brood rearing season for most Colorado migratory birds. The provision will not apply to completion activities in disturbed areas that were initiated prior to May 15 and continue into the 60-day period.

An exception to this timing limitation will be granted if nesting surveys conducted no more than one week prior to vegetation-disturbing activities indicate no nesting within 30 meters (100 feet) of the area to be disturbed. Surveys shall be conducted by a qualified breeding bird surveyor between sunrise and 10:00 a.m. under favorable conditions.

**Geologic and Mineral Resources:** The federal minerals in the proposed project area are open to mineral location, therefore requiring coordination between surface uses as applicable. As of February 10, 2014 there are no unpatented mining claims within the proposed project boundary, however, if any claim markers are encountered during project implementation they cannot be disturbed. All claim markers found during project implementation shall be flagged and protected from disturbance.

**Wastes, Hazardous or Solid:** If the project involves oil or fuel usage, transfer or storage, an adequate spill kit and shovels are required to be onsite during project implementation. The project proponent will be responsible for adhering to all applicable local, State and Federal regulations in the event of a spill, which includes following the proper notification procedures in BLM’s Spill Contingency Plan.

**Lands with Wilderness Characteristics:** Inventories for wilderness characteristics were updated in 2013. It was determined that the project area does not possess wilderness characteristics.



Lands and Realty: There are no realty authorizations within this project area (See Land Status/ Realty Authorizations/ Access section in C0-200-2002-0125 EA, Fuels Management- Arkansas Mountain Fuelbreak and Prescribed Burn).

**MITIGATION:** Brought forward from Western Fremont County Fuels Planning EA (CO-200-2005-0021 EA).

1. Locate, flag, and protect any property survey monuments including brass cap monuments, bearing trees, fences, or other infrastructure that may exist in this project area.
2. All machinery would be washed prior to being brought on site. The disturbed areas would be inspected and treated as needed for noxious weeds for two growing seasons after the project is completed.
3. Large machinery for mechanical treatment would stay more than 100 feet from riparian and wetland areas and not work off road when ground conditions are saturated. When possible, work by large machinery would be conducted when the ground is frozen.
4. Fueling of machinery would be conducted at designated fueling sites, no more fuel than is necessary for daily operations would be stored on site, and if fuel in volumes in excess of 25 gallons is released to the environment in a spill it would be required that the BLM project administrator be notified and appropriate cleanup measures taken.
5. Determine public/private boundaries of the treatment areas prior to project implementation.
6. Minimize off-road travel in performing and supervising the operations. Any new vehicular travel routes would be rehabilitated and closed, especially where they connect to the existing roads/trails. Existing roads and trails would be used as much as possible by agency and contractor personnel to eliminate development of new routes and trails. When driving off roads, personnel would avoid repeatedly driving back and forth via the same route.
7. Projects would be designed to blend with topographic forms and existing vegetation patterns and use both to screen the project as much as possible. Repeat the elements of form, line, color, and texture of the existing landscape.
8. Slash piles would not exceed 10 feet in diameter by 10 feet in height and be located where they can be burned effectively in suitable weather and not threaten the crown of reserve vegetation.
9. Work would be avoided from May 15<sup>th</sup> thru July 15<sup>th</sup> to avoid the taking of migratory birds.
10. In ponderosa pine and mixed conifer habitats, surveys will be completed to detect any nest/roosts for raptors, and wildlife snag trees will be protected from harvest and damage during project implementation.
11. When possible, work in pinyon pine/juniper forest type would take place between September 1<sup>st</sup> and April 1<sup>st</sup> to avoid the Ips bark beetle flight period, therefore avoiding increased beetle activity within and adjacent to treatment areas.
12. Mechanical treatments would not take place on slopes greater than 30%.
13. Smoke from prescribed fire use would be monitored. All burn plans would contain a monitoring plan. Monitoring can consist of visually tracking smoke plumes by persons on the ground or in aircraft and installing PM10/2.5 particulate monitors at sensitive receptors.

14. Surveys would be conducted to locate any possible occurrence of Royal Gorge stickleaf, Brandegee wild buckwheat, dwarf milkweed, and golden blazing star. If any are found the occurrences would be avoided.
15. Local research would be conducted to locate private survey records that apply to this area.
16. Surveys for goshawk and Townsend's big-eared bat will be completed before project implementation.
17. Wildlife trees (primarily snags) will be protected from damage and will be left standing for wildlife use.
18. For range allotment management purposes, contract stipulations addressing fences and gates should be addressed.
19. If needed, consultation with Parks and Wildlife concerning the allocation of additional forage and temporary grazing restrictions would be conducted on a case by case basis on recently treated areas.

## **CONCLUSION**

### **DOI-BLM-CO-F02-2014-020 DN**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

SIGNATURE OF PROJECT LEAD: Ken Reed

SIGNATURE OF NEPA COORDINATOR: /s/ Martin Weimer

SIGNATURE OF NEPA SUPERVISOR: Melissa K.S. Garcia

SIGNATURE OF THE RESPONSIBLE OFFICIAL:                      /s/ Keith E. Berger  
Keith E. Berger, Field Manager

DATE: 4/17/14

**Note:** The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.